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February 9, 1994

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Mr. M. S. Collins
Project Management Division

Ms. A. K. Crowell
Waste Management Division

B. L. Foley
Environmental Remediation Division
U.S. Department of Energy
Richland Operations Office
Richland, Washington 99352

Dear Ms. Crowell and Gentlemen:

RICHLAND PUBLIC MEETING TRANSCRIPT

The attached Public Meeting transcript, dated January 25, 1994, held in Richland, Washington, is being transmitted for you information. A copy is being sent to Project Files and Regulatory Administrative Records.

If you have any questions or require further information, please call me on 376-0248.

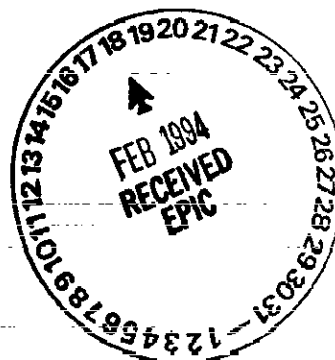
Very truly yours,

V. R. Dronen, Manager
Remediated Waste Projects
Project Department

ldm

Attachment

RL - R. O. Puthoff (w/o attachment)



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ENVIRONMENTAL RESTORATION
DISPOSAL FACILITY
PUBLIC MEETING

January 25, 1994
Richland, Washington

TAPE 1, SIDE A

Marty Roselle

Let's get started

Well welcome, this has been a big day in Richland. Lots of activities going on. Welcome to this meeting. This is the meeting to scope the proposed Environmental Restoration Disposal Facility and the regulatory process that would accompany it. My name is Marty Roselle and I am your facilitator for the meeting tonight. I'm with Dames and Moore and but I am not from around here. I'm from Arizona and your weather is better than ours right now. My job is to provide some structure to the meeting tonight and to insure an opportunity for information to be shared, for new ideas, for concerns to be expressed, for questions to be answered and that is among all the parties that are here. We want to run the meeting relatively informally. It is a scoping meeting. It's a time to exchange ideas and the purpose of the meeting again, is to obtain your input on the scope of the proposed Environmental Restoration Disposal Facility and the regulatory process. We're specifically looking for comments on whether or not a facility is needed, if so what kind, and comments on the location of this facility. We are in a public comment period right now. It started January 10 and extends through February 8 and you can write your comments. You can write them to the individuals that are listed on some of the handouts over here. There is a comment sheet you can leave with us tonight. Also, any comments or questions that are raised tonight will be recorded and taped over here and these comments will be used in the development of the regulatory package over the next few months.

What's the agenda for tonight?

Well, we're in the welcome period and I'm almost done welcoming you and taking care of some of the housekeeping details.

You'll be meeting the folks here at the table. Bryan Foley's with DOE. Norm Hepner with Washington State Department of Ecology and Pam Innis with EPA. You'll be hearing more from them about their role on the project and also during the question and answer period. The meeting really is divided into two pieces. The first piece is an overview of the project to date that Bryan will be giving and we should be done with talking to you by 8:00 p.m. The rest of the time is yours and we'll divide that time into questions and comments and I'll be more specific about that when we get to that point in the meeting.

There were some blue cards on the table. You may not have picked one up. Lois has them. Allison can help distribute them. The purpose of the cards is during the public input discussion period we wanted to divide it into questions first and comments second and if you want to make a comment it would be helpful to me if you just put your name on the card and if you have an

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affiliation also include that and then I'll just collect them and just call you in the order that I get them.

Just a few ground rule and I'll go over them again later, but I think probably three of them: (1) if we could limit the discussion to the topic here tonight, and (2) there may, I may want to put a time limit on the comments, it would depend on how many we have, and (3) in regard to the question portion, if you have a question ask it, we'll get an answer to you, and then you might have follow-up question which you could ask right then as well.

So any questions about how we're going to structure the meeting and what our purpose is?

Ok, let's get started then. I'll start with you Pam, if you would just talk a little bit about EPA's role.

Pam Innis

On behalf of EPA I would also like to welcome you this evening. EPA is the lead regulatory agency for the project. We are in charge of both the RCRA corrective action and the CERCLA authorization of this proposed waste management unit. The CERCLA record of decision will be written out of our Hanford project office by myself. At this time the committee of the proposed facility will be handled out of the EPA Region 10 office in Seattle. Further corrective action authority may be delegated to the state in time for them to handle the permit for the facility. Thank you.

Marty Roselle

Norm Hepner with Ecology.

Norm Hepner

Good evening. I'm Norm Hepner with the Washington State Department of Ecology. We're the supporting regulatory agency for the proposed ERDF project and we work very closely with both Pam from EPA and Bryan with the Department of Energy to make this project a success. It is important that you are aware tonight that Ecology has issued a determination of significance under the state environmental policy act. Under this act, both scoping and the issuance of an environmental impact statement are required. Ecology has agreed to use the regulatory package being proposed tonight as the draft environmental impact statement. Tonight, I'm really asking for your help, your input on what we should be looking at in this regulatory package. How will ERDF be effecting the environment, the water, the land, our resources, and for you to come forward and tell us how you would like us to address them in that package. You also have an additional opportunity to comment on the regulatory package this summer when it comes out. If you can though, tonight would be the best and the earliest time to bring up issues. Following the overview by Department of Energy, I'll be available to answer any questions you may have. Thank you.

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Marty Roselle

Thank you, Norm. All right Bryan, if you'll talk about your role and also about the project.

Bryan Foley

Sure. Good evening ladies and gentlemen. With this proposed project is primarily to assist in the development of the regulatory package we're actually going to do that and of course we've got the support of the various contractors that have just really been super so far to date and I guess what I'd like to say is that also worked very closely with both the United States Environmental Protection Agency and the Washington State Department of Ecology. Within the Department of Energy itself, there is a concept that for this particular project both for the design and construction of the project the environmental restoration program would be managing that and the actual operation of it would be done by the waste management organization within the Department of Energy here at Richland and that's another example of the kind of teaming that we've done, not only internally, but among the agencies to bring this facility to this particular proposal to you here this evening. So, without any further discussion let me get into the overview of the. . .

Excuse me, thank you.

Just real quickly, it's just absolutely, will be really helpful for all of us here if you have thoughts, comments, input that will be helpful for us in trying to understand not only what the values are that we have tried to recognize and account for to date that you all have presented, but also if there's any concepts or thoughts that you have with regard to this proposal, we want you to bring those out this evening because the preparations for beginning to do the regulatory package to authorize this facility are ongoing, a number of activities are ongoing. In trying to bring this proposal to you we have heard from you in various forms like the Hanford site tank waste task force and the future site uses working group. Various values that have been communicated, and these certainly aren't comprehensive of all of those values, but we think that they certainly are the key values, particularly for this particular proposal that we're talking about tonight the disposal facility, the idea of using the central plateau wisely for waste management. Just to give you an idea, and I probably jumped ahead a little bit here, but to give you an idea, not only are we going to talk about that, but we're also going to talk about the need for the facility, the options for managing waste, the alternatives that are going to be evaluated, the siting, the regulatory project, excuse me, the regulatory and project schedule. We'll also share with you the regulatory process and then a summary, if you will. So that brings me to sharing with you the needs, why do we need this, why do we need a place to put the remediation waste from Hanford, the cleanup waste, and everyone has placed a high priority on cleanup areas along the river. To achieve this, the TPA provides for operable unit RODs beginning in 1995 and these RODs will require, and when I say RODs, excuse me, records of decision, those will require substantial cleanup of these operable units beginning in late 1996. So if removal of contaminants is the remedy that's selected for these various operable units, there's an estimation at this point of 20 to 30 million cubic yards of low-level radioactive hazardous and mixed waste which would be generated beginning in late 1996. The proposal that we have to bring

here this evening that's currently under evaluation is for a waste unit, the ERDF as it's called, the Environmental Restoration Disposal Facility, to be operational by September 1996 and for this to happen, the construction would have to begin by fall 1994. To allow construction to begin, this evaluation of this proposal is being conducted on an expedited schedule, which I'll touch on later on in this overview, and EPA does intend, as Pam mentioned, to select remedy and issue a record of decision in September of 1994.

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Which brings me to a discussion of a consideration of the options for this particular proposal. These are the options that had to be considered in order to answer the question of, "How to manage the remediation waste, the clean up waste, generated during the clean up of the Hanford site." So, given the previous slide where I talked about the needs and shared those with you and the expectation that in fact records of decision from operable units could designate that the contaminants have to be removed, they have to go somewhere, so we had to look at these options. We do have the existing low-level burial grounds, folks would want to look at that particular option and there we have a RCRA compliant landfill primarily for handling low-level radioactive waste. There is a potential possibility that it could also handle mixed waste, it is permitted for that although they're not doing that at this point, but it is a limited capacity type of facility, certainly not something that would be prepared for the 20 to 30 million cubic yards that we're expecting, estimating at this point to be generated in the remediation waste, the clean-up wastes, and again this proposal that I'm sharing with you, the disposal facility, would be just for the Hanford clean-up wastes. Offsite shipment, again, there is a limited capacity in terms of the number of places that would be available to do that and the phenomenal costs of doing that are just, I was truly amazed at hearing those and the transportation, there's some issue associated with that and of course there's a perceived risk scenario that's associated with transporting waste offsite. Which brings me to the proposal again, the Environmental Restoration Disposal Facility, which is another option and for you this evening, hopefully, the preferred option, we certainly would like to think that. So, having looked at the options, for managing the remediation waste, that bring me to consideration of the alternatives associated with the proposal and these alternatives here are specifically what are going to be addressed in what's known as the remedial investigation feasibility study, and you see here an alternative of no action and a second alternative of single evolving trench. Those are primarily the two alternatives. No action is typically a baseline type of alternative commonly looked at under the CERCLA process and this single evolving trench alternative includes a look at both the lining of the trench design itself and these are kind of design alternatives within this single evolving trench. The liners and the covers are the two things that are also being evaluated as alternatives in this proposal.

Then that brings us to some criteria. You know, what criteria do we use to evaluate those alternatives and this is the first of two pages. These come from, these criteria are not something that just kind of were, we made up in our minds, but actually they come from the corrective action managements units rule under RCRA and they come from the CERCLA, the Comprehensive Environmental Response Compensation and Liability Act, they are from the regulations that form the basis for this, for trying to authorize this particular proposal.

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You see there, the term ARARs including CAMU, ARARs being applicable or relevant in appropriate requirements and of course that acronym there saying CAMU standing for the corrective action management unit criteria.

Again, these criteria are coming from those key regulations that are supporting it here. You see, not only CERCLA and RCRA, but you can also see some criteria from NEPA, the National Environmental Policy Act, and that, for instance, the criteria there regarding socioeconomic impact, that goes directly to that, comes directly from that particular regulation that criteria, and that would probably spark some interest in your mind regarding the regulatory process and we're going to touch on that a little bit in just a minute here, actually.

For those of you that didn't get a chance to see this earlier when you came in as we have begun to conceptualize this, this is a graphic, if you will, of the concept at this point of the proposal and as you can see here this is the actual trench itself, the single evolving trench, we have some of the support facilities, decontamination capabilities. You can see the rail line that would provide the transportation from those operable units where the waste is generated to get it to a place to be able to manage the waste here. So you see the rail cars there with these closed top type of containers that would be bringing mostly soil, a large amount of low-level radioactive waste mostly bulk soils. Again, when I mentioned the 20 to 30 million cubic yards, that's not all encompassing, but at this point that's the estimation of what we're seeing coming here. You see these are administrative support facilities right down here.

This particular map is a little bit busy, and I apologize for that, but this is right from our, what I want to share with you here is the bold line here moving around the actual, this is the central plateau on the Hanford site and you can see the 200 west area here and the 200 east areas. Everybody seeing my pointer here? Ok, and then right here in the center are some of the PNL sites, if you will, the Battelle laboratory sites that are reserved for their use, they have like for instance a meteorological station that is there and then there is the Future Site Uses Working Group buffer zone that's shown by the dotted line here within the central plateau and we see some of the sites that were considered. Site 1, and again the fundamental criteria that were we looked at in doing the siting study was DOE orders and state and all of the appropriate regulatory orders and requirement and then also the fact that there was a 6 square mile need for the facility for this particular proposal. You can see the basic 4 square miles that's needed and then an additional 2 square miles of expansion and that's kind of a contingency basis, if you will, as we do this regulatory process we want to be able to insure that we come as close as possible to estimating the actual need and this is the basis and I'll get into that a little bit more in a second, but the 6 square miles is the key criteria.

Site 1, right up here in the far corner of the central plateau, had some topographical problems in that there were a lot of hills and valleys and basalt outcropping that weren't very appropriate. It's also right next to this is highway 240 moving along down through here and again it's outside the Future Site Uses Working Group boundary, if you will, the buffer zone and again that particular report from that group of folks that had key stakeholder

involvement in that process was move the, keep the waste centralized there on the central plateau so that we could be managing it most appropriate there.

Site 2, up here, that has the white bluffs trail some of you know the historical significance of that running right through it. There's also a lot of site infrastructures this is a transmission line, and roads, and things like that that are moving, that are right in the site itself, and so we had to consider what would happen to that infrastructure in the event that there were problems with that and that brings me to what became our preferred site between the 200 east and 200 west area here. It take advantage also of the existing site infrastructure very well and it's the first removed from the river, which was a key point in terms of the public values, of your values, is to get this contamination away from the river and also it is at a greatest distance here at the preferred site from the groundwater. The greatest depth to groundwater there. So, and of course, it's totally contained within the Future Site Uses Working Group boundary. Therefore, this site seemed to be the most protective of human health and the environment and for this proposal we are saying that this is the preferred site.

So under the worse case scenario, again, for those of you that may if your not quite clear on that, there's, looking at that 20 to 30 million cubic yards all of the remediation waste, the 6 square miles is a worse case scenario and we're looking at various design options to try and use less land and that brings me to kind of a taking that preferred site and showing you just that, you see the 200 east and 200 west area, here, this is that Site 3, the 4 square miles and what you see crosshatched here is, you know, using a conventional type of trench that's typically used to handle waste we would, and we're talking about 20 to 30 million cubic yards, we would use up that much space, and of course we do have that expansion capability over here, but this is the amount of land that would needed for that need there, for that amount of waste and then through what's, what I think has really amazing through the conceptualization and through the effort to try and minimize the land use and minimize the foot print of this facility and you see here the double crosshatchings. This is the single evolving trench alternative, where instead of having the multiple trenches and the wasted land between those trenches you condense all of that down into a single trench that would not waste the land and consequently and the other key thing about that is that it only evolves or opens up as much of the area as is need based on the waste that is forecasted as coming in. So, that's the key difference from a conceptual basis on that.

This is our regulatory process and very interesting part of this particular proposal, again you see the key regulations, CERCLA and RCRA, the corrective action management units, the National Environmental Policy Act, and the state environmental policy act, all of those under the regulations and the regulatory package itself that DOE is preparing and which will be one of the products that you all will see here, coming soon. There's a proposed plan within that package which comes from this remedial investigation feasibility study. There'll be a number of technical documents that support that that will be included. The CAMU application, the permit application, under the corrective action management unit's rule. Then there's this a NEPA road map, which essentially is a document that will show, and I guess what I need to share with you is there is a pilot project concept that's ongoing right now that is been agreed upon between DOE and EPA and Ecology to try and streamline

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regulations and this is an example of integrating the, excuse me, capturing the values of NEPA, the intent of NEPA, through a circle-based framework or documentation framework, and so this NEPA roadmap is simply a piece of paper for those of you who want to be able to see where those NEPA values have been captured, it will tell you specifically where to go. Things like, a thing that you wouldn't normally see in CERCLA documentation, for instance, you remember the alternatives the criteria there being socioeconomic impacts, you would see, you would be able to find the evaluation of that in this documentation by looking at the NEPA roadmap and then we have the draft SEPA EIS here the state has mentioned. They will use the regulatory package to satisfy the requirements for a draft EIS under the state environmental policy act, EIS, meaning the an environmental impact statement,

and the implementing mechanisms here in the third green box here being a record of decision, as you heard Pam tell you about and also the SEPA EIS and ultimately, eventually a permit under RCRA for the CAMU.

Just about finished here, I've got about two more slides, one of them's talking about, this one's talking about our proposed schedule. We're actually in this right now and I think what I want to really, what's really important to share about this is that we are shortening, in this proposal the project execution process for down to cutting it by at least 3 years. It's different from the from a, it's a much more fast track, if you will. The regulatory process is also being accelerated and is reflected in this schedule. You can see here that the regulatory, we are preparing the regulatory package and you will see that June 13 and it will be out for the public review of 45 days. I just can't emphasis to you the amount of streamlining and integration of effort on the part of all three agencies to condense reviews and to look at things as they're going in order to get this regulatory package out to you for your review and here we have, also you can see that the record of decision which we've mentioned here September 15 and we also have a little bit on the project here. September 28, 1996, a recent TPA negotiation, which actually the TPA agreement was just signed today, reflect this particular need. When I say follow-on construction again, we're talking primarily to that, you know, the trench, the single evolving trench concept as it would open up as more needs, as more waste would needed to be managed and ultimately taken care of. So, there's only a certain amount of that we would open up first based on the current waste forecasts. It's, I guess the bottom line is, we're not going to open up this huge thing, you know, and cause we don't know yet the final that we're all working on potential estimates here of waste.

And finally, a picture here of the actual closed site and this is truly a reflection of the intent which is to, you don't see the buildings, they're all of that, this is exactly what we'd hoped for the site to look like once this particular facility is closed. No big monoliths and things like that. It's very natural and it looks very, what I like about it is that it doesn't look like it's impacted the future generations it doesn't look like its impacted the with of significance to the environment and the aesthetics of it are very pleasing.

And finally, in summary, I guess what I want to share with you is that we have tried to account for, strived to account for the public values that we talked about in the very beginning and if there is anything that we've missed there with regard to those values, if there's any interpretation that may have not

been correct or you have some different thoughts about it, please share it with us. Again, we want to have your input and at this point I want to turn it back over to our facilitator, Marty, and thank you all very much for your attention.

Marty Roselle

Ok, thanks Bryan.

Now we're to the part in our agenda where we want to open it up to discussion and as I mentioned at the beginning and I will repeat it for those who might have missed it, we wanted to divide the discussion period into two pieces, where we took questions first and then, if people have specific comments or presentations that they wanted to make, that we would follow the questions with those. These blue cards that I held up before, perhaps Lois or Allison could walk through the audience and if you would like one, please put your name and your affiliation if that's appropriate, if you want to make a comment or a presentation. If you want to ask a question, then in just a minute you can raise your hand and we'll do that.

Just to review the ground rule, we wanted to limit the discussion to this topic and wanted to wait and see how many cards we might have before we discussed what sort of time limit to use for the comments and then as far as the questions go, if you have a question and then if you have a follow up, you can ask it right after that.

I think we will go ahead and start with the questions and then give you a chance to fill out your cards. You can fill out your cards at any time, so don't think that you only have one chance and then we'll come back to that, let me get, have an idea of how many people would like to make some comments.

Ok, all right, good.

As far as the time limit goes, is 3 minutes ok, is that enough time for you all?

Not enough time. What would be better? Five minutes, about 5 minutes. All right. Is that all right with everybody, if we use a 5 minute time limit on the presentation portion? Ok. We have a mechanism to keep time and I'll, we have an hourglass that's 3 minutes, so we can't use that one, but always prepared, we have a timer that would go forever if we needed it. What I need is a, I need a volunteer time keeper, somebody who would just volunteer to just work this for me.

Any volunteers? They're going to be busy answering questions and listening. This works real well.

(alarm sounds)

That'll wake us up. Could I get you to volunteer. All I'll need you to do is just set it to five and then when it gets to be about 30 seconds before it's going to go off, you might just stand up. That might keep it from going off.

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Ok, let's start with questions then, and if you wouldn't mind, I would appreciate it if you'd come up to the microphone that way we can be sure and get it on the tape and introduce yourself as well. Who's got a first question? Yes.

Our timekeeper. Course we're not timing the questions, right.

Questioner 1

Yeah, I don't have to keep track of it since I volunteered for that so graciously, I get to be the first one with questions I guess.

Marty Roselle

That sounds fair.

Questioner 1

My name is Eric Hoppy, I'm just representing myself as a private citizen. I had a couple of questions. Why, I noticed that we had plans for at least looking into the possibility of an unlined trench, and is that part of just a baseline as well or is that really an option that you're looking at?

Marty Roselle

Bryan, you want to answer that?

Bryan Foley

The liners are, the different liner concepts there for the proposal include unlined trench, I mean it was, there are those considerations that we have to look at when we are evaluation the alternatives. It was, we thought that we should look at the range of possibilities there. One of the key things that I guess we should share with you is that, there's a need for us to initiate this particular proposal should we get into construction to actually do, have a unit that has minimum technology requirements under RCRA at this point for the starting phase of the proposal. In other words, you would have to be double lined and have a leachate collection system. Those are minimum technology requirements, but there is an understanding that perhaps later on, once we've been able to gather enough information about the performance and about this site about the preferred type that we'd be able to perhaps relook at moving perhaps away from that if it's possible for the sake of cost efficiency, for the sake of just how, you know, what the needs are to make sure that it's safe and protective of human health and the environment, but there's that potential that it could be unlined so in this startup part we're kind of making sure that we examine that those possibilities here in that remedial investigation feasibility study. Did I answer your question?

Questioner 1

I think so. I guess the assumption that I'm hearing is that the soil that first goes in is going to be the same as the soil that goes in 10 years from then and 20 years from that. So, you know, I think your, the idea of that you would establish the performance of this system just couldn't happen. So that's my comment back to your answer to my question.

My other then, is that you had a total of a 6 square mile facility. Did the 20 to 30 million cubic yards, was that for the 4 square mile facility, or did that include the 2 mile expansion area.

Bryan Foley

No, the idea was that the 20 to 30 million cubic yards was for the 4 square miles using the conventional trenching method. The conventional way that we would build a landfill type of trench where there would be multiple trenches and that would take up the 4 square miles for that 20 to 30 million cubic yards.

Questioner

Ok, so you really have like a 50% contingency here for our estimate on the amount of waste volume that's being produced.

Bryan Foley

There is that, the total need right now is 6 square miles and that beyond the 4 square mile need using that as I mentioned the multiple trench concept. The 2 square miles is that expansion contingency that the potential need for perhaps some kind of continuous expansion and we're operation on estimates of waste, remediation waste.

Pam Innis

That additional 2 square miles is in case we, our original estimates were: (1) wrong, that we end up having more remediation waste, and if decontamination waste/decommissioning waste will be going into the ERDF that wasn't planned for. There's also some considerations in the 200 areas themselves that we didn't take into account. Most of the waste generated for the 4 square miles from the 100 and 300 areas.

Questioner 1

Ok, I'll finish off this question and let somebody else have time, but my question then is, is the 50% contingency, what basis is behind that? Is there any kind of calculation, any kind of error analysis that goes along with that or are we just saying, I don't know that's 50% sounds about right?

Pam Innis

It's pretty much of a ballpark figure.

Questioner 1

The latter of the two, that's, ok, thank you.

Marty Roselle

Ok, thank you. In the back, are you able to hear the question or do I need to repeat them? Can you hear them in the back. Ok, good.

Is there another question?

Yes sir.

Questioner 2

Yes, relative to institutional controls, what's the design for giving up institutional controls for the facility? How long do you assume institutional controls persist to protect the environment and public health and safety?

Bryan Foley

That's a good question.

Questioner 2

You don't know, I assume you don't know the answer.

Bryan Foley

It doesn't jump right into my mind with the. . .

Questioner 2

Let me ask another question. Do you intend to design the facility for the long term, such that you don't need institutional controls? Is there a design requirement? You talked about long-term effectiveness. Is there a requirement on long-term effectiveness or is that a goal or what do you mean by effectiveness? Is it free use, you had this nice picture up on the wall. Does that mean that we could put a farm there and a person putting his well down through the middle of the thing when you're saying it's closed, yes.

Bryan Foley

No. The, in terms of long-term effectiveness, it gets the bottom line is that we expect that the facility, this proposal would be protective of human health and the environment for the duration that it through its final. . .

Questioner 2

Infinity.

Bryan Foley

Well, through the closure of the facility and. . .

Questioner 2

Well, that's 30 years in, what about 100 year in?

Norm Hepner

Let me help out here. We are going to assure that we are going to protect the environment. There's going to be a lot of risk based data going into that and I believe the numbers up in the, to get to the Columbia River up at 10,000 years.

Questioner 2

No, I'm just talking about the site right there.

Norm Hepner

I realize that. There will have to be institutional controls. You will not be able to place a well through the landfill.

Questioner 2

Ok, so if you're going to commit the site resources permanently to this purpose, don't you need to have an EIS with a record of decision rather than this other process to commit the, to go through a regular EIS process to commit that resource permanently?

Bryan Foley

I guess what I would share with you is that, the values and the intent of NEPA we're hoping through this pilot project to be able to show that those values are captured in the regulatory package and they're considered and evaluated and I guess what might be helpful is, you know, I know things like socioeconomic impacts, accumulative impacts, long-term, that kind of thing, which is typically associated with or look at under the NEPA process, what in, we're hoping to capture those things and if there's something that you have in your mind that you think that an EIS might have that this regulatory package or this framework might not have, that would be helpful.

Questioner 2

Well, we'll give you that comment. I was just trying to understand whether or not you anticipated that if a permanent commitment of resources required an EIS or not.

I think I hear you saying, "No, it doesn't."

Bryan Foley

Well, under, there is not an intent to do an EIS under the NEPA process.

Questioner 2

The answer is no, we don't need an EIS for the permanent commitment of those resources.

Bryan Foley

Yes.

Questioner 2

What, one other last question. What about judicial review of that ROD? Are you going to have that feature, which is inherent in the NEPA process, or no?

Bryan Foley

That opportunity to appeal, is that what you're talking about?

Questioner 2

Yeah, to go to court and ask the question, hay, is this a legitimate, permanent commitment of resource?

Bryan Foley

I would certainly think, but I'm not positive, but I would certainly think that there'd be an opportunity for you to be able to make that kind of, to do.

Questioner 2

So, that'll be in the regulatory process and that feature of NEPA will be in the process.

Bryan Foley

To not have an opportunity to be able to have judicial review or to be able to make an appeal about this, doesn't seem like that we would be able, that wouldn't make sense.

Questioner 2

I see.

Norm Hepner

I think EPA _____ with us.

Pam Innis

Bob, under the CERCLA authority there is not a judicial review. If there is a question about this, then it would probably be brought up under some other scenario other than at CERCLA. . .

Questioner 2

Well, that's what I'm trying to understand, this, you don't have a CERCLA review, you don't have RCRA review, you don't have a NEPA review. You got some sort of thing that's neither fish nor fowl, it sounds like, so the question is, what features of NEPA, particularly the judicial review aspects that are inherent in NEPA process, are going to be inherent in this process that you're describing? I think that's the question.

Pam Innis

Thank you. I'll have to get back to you on that one, Bob.

Marty Roselle

Another question?

Yes ma'am, in the back.

Questioner 3

I apologize for missing the presentation. If this is a low-level waste landfill, plus hazardous waste, are you taking into consideration in your packaging and in the possibilities of lining the trenches and what not, that some low-level waste is much more toxic and much more deadly than some high-level waste? You know, that our definitions are mixed up and low-level is not truly low-level all the time and that high-level is sometime less toxic than low-level, I mean, how are you dealing with that issue?

Pam Innis

We have specific waste acceptance criteria that are going to be imposed on the facility that we're looking at and part of that input that we have on siting with those waste acceptance criteria are risk assessment of those different constituent that would be going into the facility. We have set specific criteria that they must meet as far as risk and I believe it's stated in the Tri-Party Agreement at the boundary of the facility with the first 100 years will be a 10 to the -5 risk at that boundary directly below the facility to the water table and after that it will be a 10 to the -4 risk.

Questioner 3

Can you translate into publicly understandable language what 10 to the -4 and 10 to the -5 means to just the general public? How, it's like translate the math. I don't know my math that well when it comes to 10 to the minus.

Norm Hepner

1 to 10,000.

Questioner 3

100,000 what.

Pam Innis

1 in 10,000 for the, plus or minus. . .

Questioner 3

Risk? Risk factor? Ok.

Pam Innis

Or 10 -4 and then 100,000 to the 10 plus 5, plus or minus 5, risk.

Questioner 3

Do you any kinds of, are you looking at how you're going to package the waste that goes in there.

Pam Innis

We're looking at different options. Primarily we're looking at bulk disposal. Primarily we're looking at bulk disposal of the soils.

Questioner 3

What does bulk disposal mean?

Pam Innis

It'd be loose soils.

Questioner 3

Just dump it in?

Pam Innis

Yeah, one of. . .

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Pam Innis

be dependent on the waste type there are some that will be more appropriate for being containerized.

Questioner 3

Like, what be an example of that be?

Pam Innis

There will be some loose paper or what ever coming, some of the disposal, old burial grounds.

Norm Hepner

Anything with large voids which we would worry about subsidence or dirt actually seeping into the voids and causing some depression in the land fill or in the unit itself. So, that would have to be containerized to insure that would breach the liners or the covers.

Questioner 3

So, soil wouldn't be containerized and anything that isn't soil might be containerized? Is that sort of what I'm hearing?

Pam Innis

For the most part some of the soil also may be containerized. We'll be looking at worker safety to give us guidelines on that. There may be some that should be containerized to promote worker safety within the facility.

Bryan Foley

And again the waste acceptance criteria that we would set and the way that the waste is actually placed in it would be, again, not only protected of the workers' safety but also of the liner and everything else to make sure that it was, well contained, if you will, within the whole unit.

Norm Hepner

We're really at the early stages of the waste acceptance criteria. Is there some, I mean do you feel that everything should be containerized? What's your feeling?

Questioner 3

I think that you have to be awfully careful when it comes to just saying this is low-level and that's high-level. High-level doesn't go in, low-level does because some low-level, like I'm saying is far more deadly than high-level waste, and far more threatening to the worker health and safety, let alone public health and safety later on down the road. So that's, basically what I'm saying there, and then just one other question for right now. Can you go ahead and make plans like this not knowing the answers to a lot of the questions people are asking right now? I don't understand the process of how that works, that you can go ahead and plan this land fill, at whatever stage it's at now, but not know the answers to the questions that we're asking real thoroughly.

Bryan Foley

I guess what I'd like to share is that the, what we do here was talk about some of the options that were originally considered and our proposal to you was based on, after looking at the other options like offsite and other, that this particular concept be one that we, and again are trying to account for, striving to account for the public values that had been communicated that this be the direction that we need to go, and again we're working under that expedited need for being able having a place to put the remediation waste so

we need to begin work on this proposal, and truly only in the past few months, I mean, I can't believe the short time frame, but we've had already and again we just kind of had to begin developing a kind of proposal and the purpose of this meeting of course is to get your input on. . .

Questioner 3

Start looking for the criteria for this plan.

Marty Roselle

And I would add that this is a, you know we are in what we're calling a scoping process. . .

Questioner 3

Right.

Marty Roselle

Which is trying to focus and one of the challenges of public involvement is coming early before you have answers and having people feel frustrated or coming too late when you've already made decisions and so we are at the earliest point right now.

Questioner 3

And I didn't realize that this was just at that level. So that's partly where my questions are coming from.

Marty Roselle

Good. Ok.

Questioner 3

Thank you very much.

Marty Roselle

Thank you.

Is there another question?

All right in the back, yeah.

I've been neglecting to ask you all to introduce yourself so, perhaps you could do that for us.

Questioner 4

Is everyone introducing themselves?

Marty Roselle

Well, the first fellow did and I forgot to prompt people to do it 'cause were in the question period so, I. . .

Questioner 4

So, I don't need to introduce myself, thanks.

I just want to ask a question. I'll introduce myself when I testify.

I need clarification of what you said were going to be the risks levels, the design risk levels, at what boundary and what time.

Pam Innis

Ok, within the Tri-Party Agreement, it's been established that along the vertical plane of the facility, basically a trench, that the risks would be a 10 to the -5 for the first 100 years and a 10 to the -4 thereafter.

Questioner 4

Along a vertical plane, would you explain that in plain lay language?

Pam Innis

Ok, looking at it in kind of a 3-D picture, you know if the facilities up here and the groundwater is down here the vertical plane would be from that facility edge down to the groundwater.

Questioner 4

Ok, so, the risk to hypothetically exposed persons utilized from the groundwater will be 10 to the minus fifth for the first 100 years?

Pam Innis

Directly under the facility.

Questioner 4

Ok, and 10 to the minus fourth thereafter, and have you considered that state maulitoxics control act sets an ARAR of 10 to the -6?

Pam Innis

Beyond the facility boundary I believe is how they would put that to place. This is within the facility boundaries we're calling basically this area under the facility, kind of, used for the facility.

Questioner 4

And what makes you think that in 6 years, 10 years, that the facility boundary isn't going to be much closer, given the commitments even made today by

Assistant Secretary Grumble, of releasing the land? I mean the facility boundary's going to be Highway 240 and before you can spit.

Pam Innis

Maybe that would be a clarification when I speak of the facility. Gerald, I'm speaking of the trench itself not the Hanford facility, it would be the disposal trench itself.

Questioner 4

Ok, and so you will be looking at the mock of standards as an ARAR?

Pam Innis

Yes we will.

Questioner 4

Have you also looked at, will you meet the same container requirements utilized at the commercial low-level waste site and DOT container requirements as if you were bringing waste in from offsite?

Pam Innis

Again, we'll be looking at bulk disposal for the facility trying to minimize cost for remediation. If there are any containers that "need" to be used, they'll be decided at the operable unit itself from the remediation, if it's decided to be. . .

Questioner 4

I guess I'm confused. You're saying that you've already made a decision to utilize bulk disposal before you've even gone through a effort to comply with looking at alternatives with an open mind. I'm a little bothered by that.

Bryan Foley

So your saying that you would like us to look at the containerization requirements and be sure that we're evaluating. . .

Questioner 4

Well, I'm think it's pretty damn ridiculous to have a low-level waste site regulated by the NRC, subject to DOT stands for the waste that's brought in, that meets one standard and then create a dump next to it that you just dig a big hole and dump the soil in when the other site has to meet requirements for containerization, use backfill to make sure that you don't have voids, makes some common sense doesn't it? That's all, thanks.

Marty Roselle

Thank you.

Did you have a question?

Questioner 5

Yes I do.

Marty Roselle

All right.

Questioner 5

Considering that there's a 5 square mile surface contaminated area, called the BC control area, just to the east of the proposed disposal site location, why isn't the preferred location for the disposal in this surface contaminated area?

Unknown

That's a good question.

Bryan Foley

There were no previously contaminated sites on the 200 areas plateau that had sufficient space to locate the ERDF on

Questioner 5

Well, but the BC control area is 5 square miles and it's part of your expansion area. It's already within the BC control area.

Bryan Foley

Are you, is that the BC control area, is that the BC cribs, is that what you're referring to?

Questioner 5

Yeah, but the 5 square miles around surrounding the BC cribs.

Pam Innis

I know one of the consideration we looked at for the construction of the facility was exposure to workers, if they would be handling contaminated surface contamination. There's a possible exposure scenario there.

Questioner 5

But the disposal facility will be doing that anyway.

Pam Innis

Not during the construction phase. The idea is to minimize exposure to the contract people who would be developing the facility.

Bryan Foley

And, if I could say something else there, in actually, I guess there, we're, in looking at that area, there would have to be an excavation of that in order to put in to actually put in the proposed, and then what would you do with that. . .

Questioner 5

BC cribs and trenches only occupy a small part portion of that 5 square miles. The rest of it is surface contaminated and already essentially committed to disposal or waste in some fashion.

Marty Roselle

Sounds like that's an alternative and a comment that you would like for us to look at, and if you'd like to bring that up again during the comment period that would be great. Also, I would like to encourage you all to minimize the side conversations or perhaps go outside because it's distracting and it's kind of hard to hear up here.

Did you have a question?

Unknown Male

We did look at the 200 BC, there was a previous study done on another crib that, it was thought to be too hazardous from a human health and safety standpoint to actually dig up and it was considered to just put a cover on that area. So that, it was considered and we looked at it from a human health standpoint, it was not one of the things we wanted to pursue.

Questioner 6 (background)

No you discovered the BC cribs and trenches, but the barriers was still ok to hold the disposal site and the remainder of the _____, especially if you are going to a minimized sized trenches, you may never even expand this facility outside the _____ of this contaminated area.

Norm Hepner

So, are you saying, use that area. . .

Questioner 6

Why open up clean desert, when you've got dirty desert right in that spot?

Norm Hepner

So you're saying, place a barrier over the crib area and then use the remainder of the area for the evolving trench.

Marty Roselle

Can I look at that?

Yes, you had a question.

Questioner 7

Yeah, just two quick comments. In the overhead that you had discussing alternatives or options, one thing that I think was missing was a treatment option, an offsite or I should say, a removal and treatment option before disposal. Such as removal of long-lived radionuclides and treatment of the soil. I think that should be an option and then consider it a low-level, short-lived radionuclides disposal facility, for the long-lived radio-nuclide or vitrified or taken to the high-level repository. Now, the other comment is somewhat along the lines of what this gentlemen here. . .

Marty Roselle

Is that a question, were you asking whether or not they did look at that?

Questioner 7

Yeah, sure, whether you did or and basically a suggestion to include that, it appears that that was not included.

Pam Innis

The _____ option was not considered directly for the disposal facility. Any treatment that would take place, would take place at the operable unit and be recorded in that record of decision for the operable unit.

Bryan Foley

In other words. . .

Marty Roselle

Before the waste got to the facility.

Pam Innis

Before the waste got to the facility.

Questioner 7

Ok, I guess then it relates back to the system to the overall systems engineering of the entire facility and somewhat relates to the other question, comment that he had, it makes since to me to pull the contamination away from the river from the 100 areas from the 300 areas and such, but it doesn't make since to me to pull the contamination from the contaminated zones within the 200 area plateau in the east and west areas and create contamination zone in basically clean areas except for the BC crib area. Thank you.

Marty Roselle

Any other questions?-- Ok, lets move on to comments then. Question? Yeah, go ahead.

Questioner 8

My name is Allen Vault. Have you done a performance assessment on this disposal site and what's your expectations on the groundwater, radionuclides. You have.

Bryan Foley

There's a plan to do a performance assessment.

Questioner 8

You're going to start construction in 8 months and you haven't done a performance assessment?

Bryan Foley

Again, the performance assessment is part of the schedule of this proposal.

Questioner 8

Ok, you have a base to work on the grout performance assessment says the types of things you're proposing even with the double leachate collection liner, you know, 6/7 thousand years your material is in the groundwater. Now, while I'm asking if you've done this, do you have mixed waste, do you have land disposal restricted waste.

Bryan Foley

We will have, there is a potential for mixed waste to be generated.

Questioner 8

My interpretation of regulations says that requires a double leachate collection liner as a minimum. You said you're going to look at minimum technology liner. We did that 50 years ago. Are you going to dig up the pre-1970 waste? We've already done that test. The state law also requires, my interpretation, that you evaluate the treatment option which you're not doing. You should look at incipient vitrification. You're just taking a waste source and moving it to let it bleed into groundwater. Regulation say you will look at treatment and you've excluded that.

Bryan Foley

I guess, I understand what the concern about how if the waste was not properly contained within this proposed facility. . .

Questioner 8

Regulations say you look at changing, treating the waste and changing the waste form, not just packaging it. Does your package have a 10,000 year life? You're worried about subsistence. This tin box you're going to bury it in, is it going to last 10,000 years? Have you looked at these things?

Bryan Foley

Again, I guess I would tell you that I know we have a plan to try to execute.

Questioner 8

Any way you look at it. I think you're premature in this hearing. You don't have anything to present.

Marty Roselle

Well, and that was the other comment early in question. We are at the beginning in a scoping and so that's a good question that been noted.

Questioner 8

You have a construction schedule, you're going to start in 8 months and you're going to meet all the NEPA requirement. That's what you said.

Marty Roselle

Yeah.

It's an ambitious schedule and it may not be doable, to see what, but the comments are good ones and that's what we need to hear and why.

Ok, last call for questions at this point. Any more?

Ok.

All right, comments.

I do have some cards and again, if you'd like to make a comment I'd appreciate it if you'd pick up a blank card. There are a couple of people around the room with them. Our timekeeper, our volunteer timekeeper, what was your first name again? Eric. If you wouldn't mind standing up when there's about 30 seconds before the 5 minute time period. I'd appreciate it.

All right. Our first commentor or speaker is Bob Cook with the Yakima Indian Nation. Bob.

Bob Cook

I eluded to some of the comments I was going to make by my questions, but basically, there was note of the U.S. Ecology site right next door to this particular site. It has requirements of no institutional controls being allowed to be assumed beyond 100 years past closure of the site, and it assumes that you can't take credit for any engineered barriers beyond 500 years after the engineered barrier's installed. You can't assume a life for an engineered barrier beyond 500 years to protect the public health and safety. I'm not sure what the public health and safety risk is, but I don't think it's 10 to the -4 for that site, I think it like 10 to the -6, that the assumed cancer death rate would be for somebody living and farming the area

right at the site. I think you need to consider all the scenarios that are potential scenarios that could exist on the site and around the site, including farming scenarios, irrigation scenarios, that can raise the groundwater right up into the waste disposal facility, particularly, potentially considering those hydrologic conditions there. There very well may be some sort of co-leachate zone in that area that causes the groundwater to be perched up into inundate that material. The BC crib area had about 32 million gallons of water dumped into the area in the past and told, I don't know if this is for sure, but I'm told that the tritium that went in never reached the groundwater. That was the case in other areas where the ground was more permeable, but it very well could be due to some sort of aquetard, not aqueduct, but a co-leachate layer or something else that kept the water and caused it to spread out. One of the comments that the land use group, which I was a member of, said was to, don't create any harm, don't do anymore damage to the resources. This clearly looks like it's utilizing a new uncontaminated area, which is inconsistent, at least the way I interpreted that, that advice is inconsistent with the advise that that group gave you.

The buffer zone was not intended to be a disposal zone, it was intended to be a buffer zone. The intent was to utilize the areas for waste management activities that are already being utilized, not new waste management areas and that buffer zone was intended to keep people away, not to create a new waste disposal area. At least that was the way I understood the buffer zone, and that went along with the idea that you don't utilize new uncontaminated area. That was a big issue, to do no harm to the natural resources.

The last thing that the Yakima Nation is clearly involved, interested in is making sure the treaty rights are not abrogated in some regard by some permanent action that such a disposal facility may cause, the Yakimas have rights to gather fruits and medicine and utilize that land for various other uses including hunting and pasturing stock. Pasturing stock, we have indicated is probably limiting scenario, if they chose to do that with respect to the U.S. Ecology site, which the state is looking to close and trying to do a performance assessment on. The scenario involves irrigating crops, irrigating alfalfa crops for pasturing stock, three crops a year for example. That's a lot of through flux of water and that scenario should clearly be a scenario that's used in whatever performance assessment you use to determine acceptability. We are very skeptical that you can in fact achieve or do your disposal, like you're possessing it without treatment as was suggested here, and without any long-term engineered barriers and still meet those requirement with a large influx of water coming through the surface, in the future, which is going to be, so this whole issue of institutional controls you should come to grips with and would hope that you wouldn't be any less conservative with respect to institutional controls than the low-level burial ground right at the edge of the site. And the other thing is that the cumulative impacts of all the other burial grounds should be considered and the site should be safe and usage should be allowed in the future it seems.

Marty Roselle

Thank you Mr. Cook.

Cynthia Sarthen, Heart of America Northwest.

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Cynthia Sarthen

I'm staff attorney for Heart of America Northwest. I'm not making an official statement right now, I'm making a personal statement because I had nothing to say before I walked in here, I now have a lot to say. I really disturbed that people were sent here to face the public on a process that we were told was going to integrate CERCLA and NEPA when they don't even know what NEPA is all about. First of all, no, there is no judicial process when it's been integrated into CERCLA. Second of all, you do not come in and give conclusions in a NEPA hearing, a scoping hearing is to see what we think you should consider, not the conclusions you have already reached. Nor it is really appropriate to start, sort of, making people ask questions when they want to comment, or somehow castigate people, or have people side with other people on the way that they answer questions, or whatever, and I apologize, but I sort of point that at the facilitator, cause I felt that there has been a little bit of a, "well, they didn't really say that and we didn't really do that, and we are really early in the process," and that's not the way to get the public to come up here and talk. Because most people feel very afraid to get before this microphone anyway. Second of all, to put you on notice since it's out on your table, the state has invoked the SEPA process. Which means whether or not DOE does an EIS, this will be subject to judicial review, because the state will not be allowed to issue a permit if people challenge the adequacy of this process. So whether or not this is an integrated process, you still have to do a full NEPA-type process. Second of all, I'm really disturbed about the ERDF process, or the facility, not because I don't think it's a good idea and not because I don't think it's necessary. I do believe it's necessary, but what I'm worried about is, I don't see DOE considering the potential for recycling of materials. Now I know that there's no recycling of materials to release them to the outside world, but I do believe, and it has been told to us by very many experts in the field, that there is a lot of material that can be recycled and reused at facilities like Hanford, which would reduce the amount of waste that would go into the soil at Hanford, and I worry because I have read DOE documents where DOE considers that the soil of the state of Washington really has no value and, therefore, it can be used at no cost to anyone, and I think the people of Washington would differ with that opinion and that the soils and the land of Washington are valuable to us and we would like you to use as little of it as possible for a permanent repository for long-lived radionuclides. Because whether or not it looks pretty on top, that site will pose a danger to our children and our children's children and so we would like the highest of all protections possible. We would like a consideration of institutional controls. We would like an open and honest consideration of all alternatives, and we would like you to consider whether some of these materials can be treated before they're placed in here and whether they can be recycled. I don't think that's very much to ask and I would like this process to consider that. Thank you.

Marty Roselle

Thank you. Gerald Paulett, Heart of America Northwest.

Gerald Paulett

Can I use the podium, because I need to be able to read my notes, put them on something.

Marty Roselle

You don't have enough light over there or what do you need some. . .

Gerald Paulett

I need to put it on something.

Marty Roselle

Ok.

Gerald Paulett

Can I do that?

Marty Roselle

All right.

Gerald Paulett

You can stand right here even.

To satisfy NEPA and SEPA values, we believe that U.S. DOE and the regulators must do the following:

- A. Conduct public hearings on the draft package of all documents that you intend to adopt under the NEPA and SEPA process, as equivalent.
- B. Demonstrate that a systematic interdisciplinary approach has been utilized to assess all environmental impacts of the action and alternatives, including an assessment of specific wastes that could be reduced, reused, treated as alternative actions.
- C. The agencies must comprehensively, and I stress comprehensively, assess the cumulative foreseeable impacts including all foreseeable uses of the facility, instead of uses during only the first phases.
- D. Comprehensively assess the costs of the action, use of this dump site, for waste management and remedial action units which will be covered by the proposed action and demonstrate that the prior commitment of landfill costs will not prejudice subsequent treatment versus disposal cost benefit analyses.
- E. Agree that adequacy of the document package may be challenged pursuant to SEPA or NEPA. The public isn't willing to give up its NEPA rights if it can't be challenged. If you haven't looked at all of the alternatives, you haven't used the interdisciplinary process, etc.
- F. The package must meet SEPA and NEPA requirements for being easily understood, not just permit documents in other words, and reviewable by the public and the decisions makers, pursuant to SEPA, and the

organization of the documents has to be clear and the package as a whole must be easily distributed.

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- G. The package has to address the irreversible commitments of land and funds and discuss how those commitments will not foreclose subsequent cost benefit analyses and the choice of alternatives and review of alternative technologies including, in your scoping we want to have you address how you will meet the letter and intent of RCW7105-050 and our state's waste management practice statutes? We want you to address the impact of land commitment on treaty rights, natural resources, and the values of the Future Site Uses Working Group, and here we want to endorse comments offered on behalf of the Yakima Indian Nation by Bob Cook before me. Specifically and in particular we want to emphasize that apparently you've totally misread the report of the Future Site Uses Working Group which put an extremely high value on not using clean land for disposal. That you need to look comprehensively at the 200 area and assess in the document package all potential wastes that may go into a landfill after treatment is met, and what areas are available for such a unit within the boundaries of the existing fences of the 200 areas. As Bob said, the buffer zone, and I worked on that section of the report, the buffer zone was meant to be a buffer zone, not your dump site. Thank you.

Marty Roselle

Thank you. Page Knight, Hanford Watch, Portland.

Page Knight

I don't have a lot of technical advice to offer. You know, I come here as many people would think in this audience as an outsider, but I come here because I'm concerned about groundwater contamination, air contamination, and what that does to, not only yourselves, but to the region all around you and I feel like I'm apart of that region down in Portland and I actually represent quite a handful of people who feel the same way, and I'm not here to be adversarial, but I'm here to remind myself and all of us that there are a lot of people sitting here in this audience, a lot of people in this town and a lot of people all over who are working really hard to change the culture of the way things have been with the DOE. We want a clean site. We don't want to see workers going back and starting the same project over and over and over again. and if the laws that Gerry just talked about and the concerns that the Yakimas, as a nation, are expressing and people who worked on the Future Site Land Use Group have spent more than hours and hours, you know, coming up with ways to make this a very livable place for people many years down the road. If all of that work is not taken into consideration, then everything that we're doing and all the money being spent on public participation right now is a sham and a waste. So I stand here asking that the laws be followed. I, you know, we who worked the tank waste remediation system task force this summer kept using the theme, "get on with the job, get on the job," and when you here some of us talk, I think you think that we're holding up the job, and that isn't my intention, but we're going to be holding up the job in the future of this area for eons to come if we don't do things right, and I know that this is support to be an expedited action. I think that we need a landfill, but we have to take a look at all of the work that's been done in all of the areas,

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integrate this, look for the right place, look for the right safety containments, to me, when you're looking at risk assessments, when you are only saying that, "oh, we'll only have one or two more cancer deaths per thousand," I ask myself, do I have that right to decide that two more people can die? Do I have that right? I don't think any of us have that right and one of the things that I think that we don't realize sometimes is that it's not only, maybe one of us or maybe one of our children will die, but we could be creating a very mutant, if you want to be science fiction about it, generation of people way down the road, and that is a worry, I mean, we have already seen signs of that type of thing and there are more and more studies coming out about the long-level effects of radiation, of low-level radiation not just, you know, high-level radiation. So, I am saying look at the laws that have to be followed, look at the areas, look at the work that your workers are putting into this, and don't make them have to redo this or risk themselves anymore than they have to risk themselves in doing some of this kind of work, and do the right thing. You know, there are guidelines all over the place out there right now. There are billions of dollars being spent here and you want it to show for something. I want it to show for something for you. I don't have any economic benefit to gain from it immediately by coming up here, but I have the benefit of knowing that this whole region is becoming a healthy, working together region. So those are the places that I come from in coming up here to speak and I urge you to take a look at all of the different things that have been said in terms of the technicalities and the laws, etc. and do the right thing.

Marty Roselle

Thank you.

That's all the cards that I have received. Are there any other people out here who would like to make a comment?

Yes, and then Eric. Thank you.

All right, this is William Hayward.

William Hayward

Yeah, I just would I guess like to make a comment following up on my question earlier and I think this process should address an alternative of locating a site in the BC control area, that does not mean on top of the existing cribs and trenches, which I would in my alternative I would say would be capped under a permanent barrier, but that the disposal facility be located out in the surface contaminated area. To me that meets a lot of the values that have been presented here as minimizing areas dedicated to waste disposal, considering that area is already inadvertently dedicated to waste management because of its, it is contaminated. It will be that way either while we let it decay for a couple hundred years or if we were to put the disposal site in that location. It also is important to me not be me to open up new areas of desert or new areas of sagebrush and this really hit home to me today when there was an article in the paper that said, "This state and the Department of Energy are spending 60,000 dollars to plant sagebrush on the old site as part of the fines on the waste, mislabeled waste, whatever it was, so I think it's

important if we're spending money to plant sagebrush, let's don't go out and dig it up unnecessarily, any way that's the end of my comment.

Marty Roselle

Thank you.

Eric, I'm going to turn the timer on.

Eric Hoppy

I set it on ten minutes.

I guess there's not much that I can say that hasn't already been said, except that I think what is so disturbing about this meeting this evening is that it strikes me as quite premature. I recognize we're trying to get a scoping started here, but what I guess what bothers me the most is the, some of the alternatives that are being considered. I think they don't represent group science. I think it was brought up on several occasions now this evening, they are perhaps unlawful and those sort of things are obviously going to raise quite a bit of concern, and what happens by coming here this evening and including those as alternatives, is you loose a tremendous amount of credibility, and that's what's been hurt in my mind, tonight. So, you've lost credibility in my eyes by bring forth those alternatives that I view are scientifically invalid or unlawful. So, before this EIS comment period comes up, I would suggest that there's a tremendous amount of homework to be done, and that at that time, I think one of the things you have set yourself up for now is a tremendous amount of scrutiny down the road, because this is one I'll definitely keep my eye on, because I am very concerned. That's all I have to say.

Marty Roselle

Thanks Eric.

Are there other comments?

See if anyone who hasn't spoken, all right, all right, we'll take other comments or other questions as well. Is this a comment or a question?

Bob Cook

It's a comment relative to these BC cribs and other adjacent areas. We haven't, the Yakima Nation hasn't bought the fact that those BC cribs would be left like they are permanently, when in fact we think that they should be clean up. They probably pose as big a hazard, if not more of a hazard than what they might be proposing to put in this other facility in the long term. When in fact it is used and is formed in the future. There's no design that I know of relative to those BC cribs that provide getting rid of institutional controls. So they again, should be cleaned up at some point along the line. That remains to be one of the remediation jobs I think along with some of the other sites in the 200 area. The concept that we have a sacrifice zone anywhere on this site, as far as I know, has never been formally accepted by the government, ok. There's never been a commitment that this site is

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committed forever and that's the case. One of the issues that the Yakima are involved with are just the commitment of resources and having restoration for resources that are committed for any length of time, the lost use of those resources being the trustee under the CERCLA NRDA process and so if there are commitment of resources on the sea and land of the Yakima, which would prevent them from utilizing the land in accordance with treaty rights, that a significant issue and I have not heard that the government has ever come up with that kind of commitment or admission that that's the case. We hope it isn't the case. We don't think, frankly, don't think it is. I think those BC cribs can be cleaned up, frankly, as well as the end springs area and the cribs and ditches in the N area. I mean, that's much more of a close-hand focus, but we fully expect to get the long-lived isotopes out of those ditches and end springs area in the future. So, I just wanted to comment on this gentlemen's assumption that those BC cribs will remain intact. We do expect that any residual contamination should be considered. Its impact should be considered in combination with any disposal that is accomplished. Again, keep in mind the NRC requirements are that you can utilize the land at 100 years past closure for any surface usage, and in fact intruders can get into whatever you've got there and be safe at 500 years past closure even though it may be 30 meters below the surface, ok. There are no engineered barriers that are suppose protect intruders at the, beyond the 500 year time frame in that other burial grounds. So we would hope that, whatever design criteria used, whether it be for hazardous waste or radioactive waste or mixed waste and whether it be low-level waste or high-level waste or TRU-waste, whatever it is, that the same criteria of no institutional controls and no assumption of engineered barriers be the basis for the design.

TAPE 2, SIDE A

Marty Roselle

Does the group mind, I should have asked you before, but come right ahead and, we'll keep the timekeeper busy though, if you do not mind Eric.

Eric Hoppy

If there are more questions I'll wait.

Marty Roselle

Doesn't appear that we do have question right now, so come ahead.

Eric Hoppy

Is it necessary to keep time.

Marty Roselle

I think so. . .

Eric Hoppy

. . . I'll sit down.

Bob Cook

I'll keep you here 'till midnight, because I've written a book on this. I'd like the SEPA and NEPA review of this proposal to include an assessment of the field of dreams, and you all remember, that is, if you build it, it will come, and we're talking about if you build the dump, the waste will come and we'd like that paradigm to be assessed specifically in the SEPA and NEPA documentation.

1. We'd like you to assess, if you build it with the proposal to keep incrementally expanding it, will it be a magnet for the waste from other energy department facilities around the country? What will prevent it from being so utilized? What kind of guarantees can you offer the public that it will not be utilized in that fashion? Will the permit be written to preclude that from happening?
2. Secondly, if you build it they will come, will this paradigm skew the record of decisions on specific remedial action and corrective action management units, by use of the marginal cost of disposal in an incrementally expanding landfill when making each record of decision instead of each unit bearing the full allocated costs of constructing the land fill when considering whether it is cheaper to landfill vs. treat. It will always be cheaper to dump, I shouldn't say cheaper to landfill vs. treat, but in looking at the costs benefit equation, the way the Department of Energy's budget works is this is a specific project and you need to cost out how it will change the economics of treatability and how you will offset those changes. You need to assess all foreseeable waste streams. The document that you produced for tonight's hearing says, "the facility will be expanded incrementally to meet future clean up needs as they are identified." That doesn't meet SEPA and NEPA. You have to identify now all reasonably foreseeable needs. That means you must integrate with the Hanford remedial action EIS and you must look at D&D of the facilities at Hanford, all of them, the reactors, PUREX, PFP, the tanks, all the things that we may want to eventually landfill. You can't just close your eyes to those things. You can't say those things are outside of the CERCLA process because NEPA and SEPA both require you to go beyond examining just the things that are CERCLA RODs or RCRA corrective action management units. That's one of the key values that we are afraid that we stand to lose if you eliminate NEPA and SEPA and simply rely on CERCLA. That's all thanks.

Marty Roselle

All right.

Other questions or comments?

Yes Page.

Page

I have to respond to what Bob just said, Bob Cook, about the fact that as far as he knows that the government has not made any plans to have sacrifice zones on the Hanford reservation or possibly any of the 17, I believe, nuclear

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weapon sites in the country. I was sent an article from a newspaper last year by one of our members and it was something that surprised me and I have never seen it any where else since then, but it was a news article compiled by journalists and it was about a group of artist that the government over the several years has brought together, now this is not publicized at all, and they have meeting down in Los Alamos, off and on, for the purpose of designing a symbol that can be read some how or interpreted some how regardless of language changes for the next 100,000 years, it has to have that life span, and if that doesn't tell you what the government either does or doesn't know or maybe a little bit of both, then nothing does, so its like keep that in mind when we talk about cleaning up Hanford and cleaning up any of these sites, that we're talking about something people don't know how to deal with and it's serious business and you may be wanting your progeny to know to stay away from this stuff, you know, beyond 500 years from now. So, food for thought.

Marty Roselle

Ok, last call for questions or comments.

Ok, the comment period goes thought February 8, and you can submit written comments then and Bryan what's the next step as far as the public involvement goes?

Bryan Foley

What's happening right now is there, the regulatory package is being prepared and that's, at this point is the next step in terms of products that would actually be reviewed and it has all of those documents, of course tonight we've heard some additional input on expectations for the public and what they would like to see and how they would like to be involved and we have to consider that, and again I was, I'm glad we've been able to understand what kind of additional expectations there are with regards to being involved and participating in this particular project.

Marty Roselle

Well thank you all for coming.

Good night, and thank you, Eric, for being our timekeeper.